Intelligence Hearings: Inquiries Seem Mired in Data After 9 Months, With Goals Unclear

By NICHOLAS M. HORROCK
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WASHINGTON, Oct. 9—After nine months of delving into the activities of United States intelligence agencies, Congressional investigators seem adrift in a sea of information, stunned by the magnitude of the task, and less sure of their objective than when they started interviews in both the Senate and House [illegible]

News Analysis

The objectives last January appeared clear enough. Information uncovered in the Watergate investigation and a report in The New York Times suggested that the intelligence agencies had conducted a large and probably illegal domestic surveillance operation in the late nineteen-sixties and early nineteen-seventies.

These allegations provided the impetus for a Presidential commission and two Congressional investigations, one by a select committee in the Senate, another by a select committee in the House.

The Presidential commission, headed by Vice President Rockefeller, took a narrow scope. It investigated wrongdoing by the Central Intelligence Agency alone and issued a report in June, finding vast intrusions on privacy as well as specific violations of the law and of the C.I.A.'s jurisdiction under the National Security Act of 1947.

The Congressional investigations were given broader mandates covering foreign and domestic intelligence activities. To the sophisticated in Washington intelligence circles, it seemed an impossible task.

Foreign Operations

The foreign intelligence operations of the United States alone cost nearly $7 billion a year, according to reliable reports, and encompass the activities of the C.I.A., Defense Intelligence Agency, National Security Agency, State Department intelligence, Federal Bureau of Investigation and intelligence units of the armed forces.

Domestic intelligence has included all or some of the above as well as the Internal Revenue Service, the Drug Enforcement Administration, the Alcohol, Tobacco, and Firearms Bureau and the Secret Service.

Already the files and records gathered in the Senate investigation are larger than any single investigation previously conducted by the Senate. The Senate [illegible] of over 100, the House committee, another 40 [illegible]

[illegible] have [illegible] their pressure [illegible]

[illegible] of the various agencies. These include the following:

¶The C.I.A. was involved in several attempts to kill Fidel Castro, Premier of Cuba; had a peripheral involvement in the death of Rafael Leonidas Trujillo Molina, strongman of the Dominican Republic and once plotted to poison the Congolese leader, Patrice Lumumba.

¶Indeed, assassinations apparently became so accepted a policy theme that the C.I.A. set up a permanent section to plan them, called "the Executive Action Group."

¶The C.I.A., the F.B.I. and the National Security Agency have conducted extensive intrusions on other telephone, cable, or mail communications or on all three.

¶Intelligence agencies have lied to Congress almost routinely. In one case, the statements of a former C.I.A. director, Richard Helms, on the coup d'etat in Chile were reviewed by the department of justice to see if they constituted perjury. No prosecution was recommended.

¶Lawlessness under the guise of national security seemed to have become almost commonplace during and after World War II. The F.B.I. admitted 238 burglaries aimed at American citizens; the I.R.S. audited persons whose politics it did not like, and forgery of letters, anonymous threats and other forms of coercion became standard tools in the F.B.I.'s counterintelligence operations.

But the disclosures—and list is long—are scattered shots and without theme.

'Not a Simple Conspiracy'

"This is very unlike the Watergate investigation," said one Senator, "because this is not a simple conspiracy. There is no single band of lawbreakers or single group of people who made bad judgments. This has gone on for 30 years."

The disclosures are not for the sake of disclosure alone, most Congressional sources agree. Senator Frank Church, chairman of the Senate select committee on intelligence, has said that he believed disclosure was necessary so the public could see for itself whether there had been a pattern of unacceptable behavior.

"It is for this public support that Congress draws the power to pass legislation to meet these problems," he said.

But his critics argue that Senator Church has made decisions that defeat his own strategy and retard the investigation. In one instance, last spring, President Ford threw the hot potato of C.I.A. political assassination plots to the Church committee.

Many persons on the committee privately believe that by [illegible] the plots, [illegible] has allowed the rest of the investigation to drown. They fault Mr. Church on two counts; one that he tied up the commission counsel, F.A.O. Schwarz, and the staff director, William Miller, on the subject far longer than its importance justified, and second that by keeping the discussion of the plots behind closed doors, he cut the public off from the very kind of information that might have helped it form a view of the intelligence community.

"As you will remember," one member of the committee said privately, "we were going to have completed most of our public hearings and be preparing our recommendations by this point. We have not done either."

Senator Church has publicly stuck to his decisions. He said he believed that televised public hearings on assassinations would have done irreparable harm to the American image abroad and not served truth.

Whether it has been distracted by the assassination matter, or by other problems, the Church committee is far behind schedule. It has had three brief spurts of public hearings in the last several weeks. Hearings on the N.S.A. were postponed this week at the request of President Ford, and the committee may not open others until the end of the month.

Several staff members privately contend that the committee might just as well write an authoritative report now and forgo televised public sessions.

"The idea that every Senate investigation is another Watergate is a myth," one senior staff member said in an interview. "The question is—can you get good legislation anyway? I think you can."

Part of Senator Church's technique has been to avoid confrontation and to negotiate for each piece of evidence from the intelligence community. He believes that Congress has an absolute right to the information, but that it is better to obtain the material without the time delays of court fights.

His House counterpart, Representative Otis G. Pike, a tart-tongued Suffolk County Democrat, believes differently. Mr. Pike took over the House committee last summer after a membership mutiny dislodged the previous chairman, Lucien N. Nedzi, a Michigan Democrat.

Mr. Pike's committee voted to make public secret national security information without the approval of the executive branch, thus precipitating a confrontation over whether Congress or the President controls national secrets.

But after two weeks of sword-rattling by both sides, Mr. Pike and the [illegible] settled the issue—access to some secret intelligence evaluations on the Tet offensive in 1968—without settling the fundamental question. Mr. Pike's critics thought that Congressional prerogatives were thrown for a loss when a final confrontation was avoided.

However, the Pike committee has begun to establish a body of evidence indicating that the $7-billion-a-year intelligence apparatus may not, in fact, be very efficient. In recent public hearings he has called authoritative witnesses who contend that the intelligence agencies failed to predict any of the major crises of the last decade.

While one [illegible] able to evaluate how this nine-month scrutiny has affected the intelligence agencies. Publicly, intelligence officials have said that the disclosures have harmed the United States and made their task harder.

But privately, many of them tell a more sanguine tale. The bulk of the disclosures were already known to foreign intelligence services and the new details can mainly be used to fill in gaps in knowledge, responsible intelligence officers admit.

In fact, there is some feeling that the intelligence community—with the help of President Ford and his able lawyers—has "staved off the worst," as one source put it. In other words, the agencies are surviving what many had thought would never come, a full Congressional investigation.

The upcoming confrontations will not be on further disclosure, sources in Congress and the executive suggest, but on the issue of "oversight."

In general, the intelligence agencies regard self-regulation, inspector general style of introspection backed up by executive orders, as optimum. White House and intelligence sources have talked about this privately for some time.

They rest their case on the fact that many of the instances of wrongdoing were dug up by C.I.A. itself in May, 1973, without Congressional oversight.

Mr. Church's committee, however, has already raised serious questions about the C.I.A.'s ability at self-regulation. It has uncovered instances where even middle-level C.I.A. officials were apparently able to disobey with impunity a Presidential order to destroy deadly poisons.

Most persons interviewed believed that the committee will propose and receive support for a Congressional oversight committee, probably [illegible] committee and the [illegible] battleground will [illegible] the [illegible]

vote a tough, permanent oversight panel for the intelligence community, that question cannot be answered until the investigations are complete.

What has worried many on Capitol Hill is whether the Congressional investigations have established a record of sufficient wrongdoing to lay the groundwork for Congress to